

***IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION***

CRIMINAL APPLICATION NO. 1717 OF 2019

Poojashri D. Narvekar
Versus
The State of Maharashtra

...Applicant

...Respondent

Mr. Prashant Gurav for the Applicant

None for the Respondent–State

CORAM : REVATI MOHITE DERE, J.
FRIDAY, 23rd OCTOBER 2020
(THROUGH VIDEO CONFERENCING)

P.C. :

1 At the outset, learned counsel for the applicant seeks leave to amend. Leave granted. Amendment to be carried out during the course of the day.

2 Heard learned counsel for the applicant. None appears for the respondent-State.

3 By this application, the applicant seeks the following substantial prayer :

*“b. The trial in C.R. No. 253/PW/2016 pending before Ld. 15th Metropolitan Magistrate Court at Andheri, Mumbai be **Expedited and Time Bounded** and the Ld. Trial court be directed to conclude the same within next 02 months by passing the judgment.”*

4 Learned counsel for the applicant seeks expeditious disposal of the applicant's case being C.C. No. 253/PW/2016 pending before the learned Metropolitan Magistrate, 15th Court, Sewree, Mumbai, on the grounds that she is residing with her aged parents and is taking care of them; that she is presently working in a College at Borivali; and that her marriage prospect and professional growth has hampered, due to the pendency of the said criminal case.

5 Perused the papers. It appears that the applicant is facing prosecution in connection with C.R. No. 319 of 2015 registered with the Kalachowky Police Station, for the alleged offences punishable under Sections 324, 327, 504, 506 of the Indian Penal Code, lodged at the instance of Anil Vaishney (complainant). It appears that the present applicant has also lodged a complaint as against Anil Vaishney i.e. C.R. No. 320/2015 with the Kalachowky Police Station for the alleged offences punishable under Sections 354, 504, 509 of the Indian Penal Code. It appears that both the aforesaid FIRs arise out of the same incident. It

appears that the trial of the applicant i.e. C.C. No. 253/PW/2016 has commenced, inasmuch as, charges have been framed against her and one witness i.e. the complainant has been examined in the said case. It is informed that the recording of evidence of the said witness i.e. the complainant is over. It appears from the list of witnesses that there are eight witnesses to be examined. The applicant is a M.Sc. B.Ed. and is currently pursuing NET/SET exam and is currently working in a College at Borivali. Her parents are aged and the applicant is unmarried. It appears that the applicant and her Advocate and witnesses are regularly attending the trial Court, however, it appears that due to the pandemic, trial has not proceeded as expected.

6 Considering that the trial has already commenced and that the new SOP issued by the High Court is in place, it would be appropriate, in the facts, to direct the trial Court i.e. learned Metropolitan Magistrate, 15th Court, Sewree, Mumbai, to expedite the trial of the applicant and conclude the same as expeditiously as possible and in any event, within 6 months from the date of receipt of this order.

7 Learned counsel for the applicant undertakes to produce a copy of this order before the trial Court on the next date in the trial Court i.e. on 10th November 2020.

8 Application disposed of on the above terms.

9 All concerned to act on the copy of this order, digitally signed by the Senior Private Secretary of this Court.

REVATI MOHITE DERE, J.